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DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Y. Taya *et al.*

Appl. No.: 09/618,424 Examiner: K. Padmanabhan

Filed: July 18, 2000 Art Unit: 1641

FOR: METHOD FOR DETECTING ACETYLTRANSFERASE AND  
DEACETYLASE ACTIVITIES AND METHOD FOR SCREENING  
INHIBITORS OR ENHANCEERS OF THESE ENZYMES

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

8/20/04

**RESPONSE TO THE TELEPHONIC INTERVIEW SUMMARY OF JULY 21, 2004**

Sir:

While vigorously disagreeing with the examiner's reasons for denial of the personal interview, this response (along with the attachment) has been presented to correct and clarify the record. The merits of this case or the examiner's reasons to deny a personal interview will not be addressed herein.

Contrary to the examiner's contention, it is a fact that the undersigned served as acting Supervisory Patent Examiner while at the PTO on "numerous occasions." Refer to the attached Group Director's letter that confirms this fact.

The undersigned, in keeping with his duty to represent the client's interests zealously, strongly argued in favor of a personal interview. The undersigned respectfully submits that he acted in a professional manner and did not employ inappropriate language. Furthermore, as part of his representation, the undersigned will be remiss in his duty to the client if he did not consider the option of pursuing decisions with the appropriate higher level authority. This normal procedure cannot be considered "strong-arming" in order to gain an interview.

There is no basis for the examiner's assumption that the undersigned provided any incorrect or misleading information to the clients. This is because no incorrect or misleading information was ever conveyed to the clients. In this connection, it should be noted that the undersigned has an "Associate Power of Attorney" in this case, and the clients have clearly directed the PTO to mail all correspondence to Edwards and Angell, LLP in Boston, MA. In fact, the examiner emphasizes this very point on the cover sheet accompanying his fax of July 27, 2004. Accordingly, the undersigned made no "unwarranted representations" to the client.

Respectfully submitted,

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
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April 17, 2002

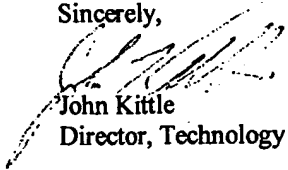
TO WHOM IT MAY CONCERN:

I am writing this letter in support of Dr. Raj Bawa who was a Primary Examiner in technology centers 1500 and 1600 from 1996-2002 (Assistant Examiner from 1990-1996). I have known him since 1990 when I personally interviewed and recruited him to be an examiner while I was group director. I was his director in group 1500, and more recently, in TC 1600. His scientific areas of expertise include biotechnology, HIV/AIDS and pharmaceutical sciences. Additionally, Raj holds a faculty position as an Adjunct Assistant Professor at Rensselaer Polytechnic Institute in Troy, New York. Biographical records pertaining to Raj appear in the prestigious *Marquis' Who's Who in the World* (17th edition) and *Marquis' Who's Who in Science and Engineering* (3rd edition), Reed Elsevier Publishing, Inc. ([www.marquiswhoswho.net/RajBawa](http://www.marquiswhoswho.net/RajBawa)). Since his date of hire, Raj's activities and achievements at the PTO have more than surpassed my expectations of him. Let me take a moment to highlight a few of them:

- He is the author of several peer-reviewed scientific and legal publications (e.g., *PTO Pulse*, *USPTO Today*, *Unofficial Gazette*, etc.) and is a frequent lecturer and seminar invitee on various issues in biotechnology, bioweapons/bioterrorism and patent law at universities, law schools, and the US Patent Academy. In 1996, he co-authored a 30-page booklet entitled *A Celebration of American Ingenuity* that was distributed to all employees at the PTO. A 140-page booklet titled *Patenting HIV/AIDS and Biotechnology Inventions* he prepared is part of the permanent reference collection of the PTO libraries (QR414.6.H58 B3).
- Raj served as Acting Supervisory Patent Examiner on various occasions. He served as an appointed member of the Asian/Pacific American Employment Subcommittee (1996-2002) and an appointed member of the Joint Labor Management Committee (1999-2002).
- In February of 1993, he visited the Japanese Patent Office to gain an insight into Japanese patent prosecution, a visit sponsored by the PTO.
- He has twice represented the PTO as a judge at the Intel International Science Fair. He has also been a participant in the *Ultimate Invention Contest* for the Discovery Channel (1998-99), a TV program sponsored by the Walt Disney Company.
- He was awarded the Equal Employment Opportunity Service Award (1997, 1998) "for exemplary service in support of the EEO program." He was presented a Certificate of Recognition from the U.S. Department of Commerce (1992, 1993, 1995, 1998, 2000) for "...appreciation for the noteworthy contribution to the effective and efficient operation of the Department of Commerce." In January of 2001, he was awarded an Appreciation Award by the Undersecretary for Intellectual Property, U.S. Department of Commerce "for contributions resulting in the advancement of Patents' customer service goals exceeding the quality expectations of our customers through exceptional service."

As you can see, Raj is the type of employee who fully involves himself in his professional arena. He is an outgoing and personable team player with an infectious enthusiasm for the patent process and for his scientific areas of expertise. Based on my more than 28 years of service at the PTO, I can confidently state that Raj's moral character, integrity, intellectual ability, and work performance will be an asset to any organization he chooses to join. He has set an admirable example for other examiners to follow. It is no exaggeration to say that Raj possesses that rare combination of intellect and personality that makes him an irreplaceable asset to any organization. I hope these comments have conveyed some impression of the high regard I have for him, both personally and professionally. Please feel free to contact me via telephone at (703) 308-0873 or e-mail at [john.kittle@uspto.gov](mailto:john.kittle@uspto.gov) should additional information be required.

Sincerely,



John Kittle

Director, Technology Ctrs. 3700 & 2900